

Amendments to House Bill No. 477
3rd Reading Copy

Requested by Representative Tom Berry

For the Senate Energy and Telecommunications Committee

Prepared by Sonja Nowakowski
April 4, 2013 (7:35am)

1. Title, page 1, line 9.

Following: "~~CONTRACT~~"

Insert: "AND UTILITY LIABILITY;"

2. Title, page 1, line 10.

Following: "~~DATE~~"

Insert: "AND AN APPLICABILITY DATE"

3. Page 1, line 25.

Following: "(3)"

Insert: "(a)"

4. Page 1.

Following: line 27

Insert: "(b) A utility may provide the information required pursuant to subsection (1) only to a person owning the property or involved in a real estate-related transaction on the property."

5. Page 1, line 28.

Strike: "THIS SECTION, "utility""

Insert: "[sections 1 and 2], the following definitions apply:

(a) "Real estate-related transaction" means any of the following:

(i) the making or purchasing of loans or providing other financial assistance:

(A) for purchasing, constructing, improving, repairing, or maintaining a housing accommodation or property; or

(B) secured by real estate; or

(ii) the selling, brokering, or appraising of real property.

(b) "Utility"

6. Page 1, line 30.

Following: "customers"

Insert: "and that is currently doing business in Montana as part of a single, integrated multistate operation, no portion of which lies within the basin of the Columbia River"

7. Page 2.

Following: line 12

Insert: "NEW SECTION. **Section 2. Utility -- liability.** A utility is liable for direct damages resulting from a discontinuance of utility service caused by breach of a continuous service agreement."

Renumber: subsequent sections

8. Page 2, line 14.

Strike: "[SECTION 1] IS"

Insert: "[Sections 1 and 2] are"

9. Page 2, line 16.

Strike: "[SECTION 1]"

Insert: "[sections 1 and 2]"

10. Page 2.

Following: line 23

Insert: "NEW SECTION. **Section 4. {standard} Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. **Section 5. {standard} Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Renumber: subsequent sections

11. Page 2.

Following: line 25

Insert: "NEW SECTION. **Section 7. {standard} Applicability.** [This act] applies to damage to property that occurs on or after [the effective date of this act]."

- END -